

PLANNING AND ZONING COMMISSION
Monday, May 11, 2009 – MINUTES – Regular Session

Call to Order: Time In: 7:00 p.m.

The Planning and Zoning Commission of the Village of Canal Winchester met on the above date for a regular session and was called to order by Mr. Christensen.

Roll Call

Present: Mr. Christensen, Mr. Knowlton, Dr. Konold, Ms. Solomon, Mr. Vasko and Mr. Wynkoop. Mr. Vasko made a motion to excuse Mr. Graber. Mr. Knowlton seconded the motion. The motion passed unanimously.

Mr. Christensen welcomed Joe Abbott from the Landmarks Commission to tonight's meeting for the Preservation Area Application #SDP-09-03.

Approval of Minutes

Dr. Konold made a motion to approve the minutes of the April 13, 2009 regular Commission meeting as presented. Mr. Knowlton seconded the motion. The motion passed unanimously.

Mr. Christensen noted that Mr. Graber arrived at 7:02 PM.

Public Comment

Jeff Bond, 146 Washington Street Apartment C spoke on development standards with reference made to the proposed Francis Park development. Mr. Bond spoke of the public's right to be heard on that type of proposed development.

Item 1. Preservation Area Application #PA-09-03 Property Owner Holly Stapleton and Applicant Jeff Kindler, for property located at 267 North High Street, are requesting approval to replace wood windows with custom made vinyl windows. Allan Neimayer, Planning & Zoning Administrator, noted this property is located in the Preservation Area. The Preservation Guidelines under window rehabilitation does not address changing the type of window (in this application from wood to vinyl). The guidelines do not say it can or can not be done. Therefore, being in the Preservation Area, Mr. Neimayer brought this application to the Commission for interpretation. Holly Stapleton and Jeff Kindler were present to answer questions from the Commission.

Ms. Stapleton stated it is the interior of the windows that is being replaced. The wood frame is not being changed. The reason for changing the windows is to improve their energy efficiency. The Commission and Ms. Stapleton discussed keeping the current 6 over 6 grid system. The existing storm windows will be removed.

Dr. Konold stated if the look of the new window is similar to that of the old window then he is fine with the use of vinyl windows. Mr. Graber agreed but said the Commission needs to have a drawing of the new (vinyl) window for this particular project to make that determination. Mr. Christensen agreed with Mr. Graber and Dr. Konold.

Mr. Wynkoop asked why this application was not going before the Landmarks Commission. Mr. Neimayer explained the review process. Under the Preservation Guidelines, it is anticipated that most applications in the Preservation Area can be handled by an administrative review by staff. Staff has the discretion to forward a review to the Planning and Zoning Commission where it is joined by a representative from the Landmarks Commission plus an appointed resident from the Preservation Area in hearing the application.

Mr. Abbott said he had spoken with some other members of the Landmarks Commission and they all agree that the wood windows should be replaced with wood windows. Mr. Abbott said there are alternative window types that look like wood and are approved by the Department of the Interior.

Mr. Vasko said the Commission needs to see a sample of the proposed window. Ms. Solomon agreed with Mr. Vasko and also noted that on Page 37 of the Preservation Guidelines it does not say one way or another on changing the type of window.

Ms. Stapleton showed a brochure of the window to the Commission. In response to a question, she said she bought the home in November 2008 and was informed the property is located in the Preservation Area.

The Commission and Mr. Kindler discussed getting a drawing of the proposed windows for the Commission to compare with the current windows. Mr. Kindler said he can check with his distributor. Mr. Abbott said this drawing can be requested for this purpose. Dr. Konold said he would be fine with a photo of the proposed window. Mr. Vasko stated with his own project he was provided with drawings of the new windows.

Dr. Konold made a motion to approve Application #PA-09-03 to replace wood windows with vinyl windows as presented with the use of Dimensional Georgian 6 over 6 grid system. Ms. Solomon seconded the motion. The motion passed 6-2. Voting yes were Mr. Christensen, Ms. Solomon, Mr. Graber, Mr. Knowlton, Dr. Konold and Mr. Abbott. Voting No were Mr. Vasko and Mr. Wynkoop.

Item 2. Site Development Plan Application #SDP-09-02 Property Owner and Applicant Grace Bible Church and Darrel Rohrer, architect with the Covenant Group, for property located at 424 Gender Road are requesting a site development plan approval for a 31,739 square foot addition to the existing church building. Mr. Neimayer gave the staff report. Mr. Neimayer stated the landscaping around the 2nd storage building that was required as part of the Commission's 2007 variance approval has been installed. A slide of this landscaping was shown to the Commission.

Mr. Rohrer stated the fence gate in front of the trash dumpster has been repaired and replaced as required by code.

Mr. Vasko asked about the parking lot light fixtures. He would like to see another type of light fixture that has more "character" to it than the one provided for tonight's meeting. Mr. Knowlton and Mr. Graber agreed with Mr. Vasko. Mr. Graber would like to see a more decorative look to the light fixture. The Commission and Mr. Rohrer agree the new light fixture still needs to shine down and not interfere with neighboring homes or with traffic on Old Creek Lane.

Mr. Vasko made a motion to approve Application #SDP-09-02 for a 31,739 sq. ft. addition to the existing church building as presented subject to the following conditions: 1) The required civil engineering plans for this project shall be prepared and submitted to the village's Technical Review Group for review and approval; 2) The project's landscaper shall contact Dick Miller (614-834-5100)

at least two days prior to the installation of planting materials; 3) The perimeter landscape plant materials shall be maintained by the church and remain in their location as indicated on the approved landscape plan; and 4) a new light fixture with more “character” than the one presented at the 5-11-2009 meeting to be submitted to the Planning and Zoning Commission for review and approval prior to its installation. Mr. Wynkoop seconded the motion. The motion passed unanimously.

Item 3. Site Development Plan Application #FSD-09-01 Property Owner Greenfield Development Co. and Applicant Glenn Perkins of Design Group Co. are requesting approval of the final subdivision plat for the dedication of roads, easements and etc. of Phase 1 development of the hospital site to the Village of Canal Winchester. Mr. Neimayer gave the staff report. Gene Hollins, Law Director, was asked to check the ownership of abutting street right-of-way. Mr. Neimayer also mentioned that a proper notation of the maintenance agreement will be added to the plat.

Mr. Wynkoop made a motion to recommend to Council that Application #FSD-09-01, the final subdivision plat for the dedication of roads, easements and etc. of Phase 1 development of the hospital site to the Village of Canal Winchester, be approved as presented and subject to the legal review by Mr. Hollins as noted above and that a proper notation of the maintenance agreement to be added to the plat. Mr. Knowlton seconded the motion. The motion passed 6-0-1 with Dr. Konold abstaining due to a conflict of interest.

Old Business

1. Mr. Knowlton asked about signage in the right-of-way that seems to continue, citing the sign of Alec Land on Groveport Road. Mr. Knowlton asked if there is any enforcement. Mr. Vasko asked about the usage of sandwich board signs in the downtown area.

Mr. Neimayer stated the sign issue with Mr. Land is being handled by Mr. Hollins to work out details of vacating a portion of the right-of-way that is no longer needed. In regards to enforcement, Mr. Neimayer stated that staff continues to enforce signs prohibited in the right-of-way by periodically conducting sign sweeps throughout the village. This is based on a long standing order from the Commission and where Mr. Neimayer has from time to time asked the Commission to reconfirm.

In regards to sandwich board signs, Mr. Neimayer said the Zoning Code does not limit their use just to the downtown area – although he believes the intent was to do just that. Sandwich board signs are to be located only in front of the business it is advertising and can not obstruct the normal walking path of pedestrians on the sidewalk [the Zoning Code requires a minimum four feet to allow for passage.]

New Business

1. Dr. Konold mentioned the intersection of Prentiss School Drive and Winchester Blvd. averages one accident per week. He asked Mayor Ebert if a rotary was ever considered for this intersection. Mayor Ebert said that has been discussed and the village is looking at options. The village had recently filed an application for funding that would have improved the intersection, but the application was not awarded.

Planning and Zoning Administrator's Report

1. Mr. Neimayer informed the Commission that Council adopted Ordinance #24-09 regarding the parking of recreational and similar vehicles in residential zoned districts and Ordinance #25-09 that splits the multi-family zoning district into two subdistricts – one for apartments

and one for condominiums.

2. An inquiry on having an accessory structure in a commercial zoning district resulted in the following conflict. Section 1195.01 Accessory Uses and Structures Permitted states that accessory structures are permitted on a lot in a residential district. It can be interpreted that accessory structures are not permitted in non-residential districts. However, Section 1195.05 talks about the commercial/industrial location, exterior and maintenance of accessory structures.
3. Mr. Neimayer introduced the topic of Small Wind Systems and items that would need to be included in the local regulation of these systems. Dr. Konold said he has been looking into the helix system for his personal use.

Adjournment

Mr. Wynkoop made a motion to adjourn this regular meeting of the Planning and Zoning Commission. Mr. Vasko seconded the motion. The motion passed unanimously.

Time Out: 8:23 p.m.

Date _____

Bill Christensen, Chairman

Jim Wynkoop, Acting Secretary

NOTE: The minutes set forth herein are an extract of the Planning and Zoning Commission meeting. Anyone desiring a transcript of the complete minutes of the Planning and Zoning Commission meeting may obtain the same at a cost of \$10.00 per page.